

**REAL ESTATE APPRAISER BOARD**

**MINUTES OF MEETING**

**August 21, 2007**

The Real Estate Appraiser Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

John C. Harry, III, Chairman  
Gina Burgin  
Harry Lewis, Jr.  
Douglas Mullins, Jr.  
Richard Pruitt  
Janet W. Fuller  
Pat Turner, Jr.  
Diane Quigley (arrived 10:20 a.m.)

The following Board member was not present: Sandra Johnson

DPOR Staff present for all or part of the meeting included:

Jay W. DeBoer, Director  
Karen O'Neal, Deputy Director  
Nick Christner, Deputy Director  
Christine Martine, Executive Director  
Kevin Hoeft, Regulatory Board Administrator  
Earlyne Perkins, Legal Analyst  
Emily Trent, Administrative Assistant  
Sheila Watkins, Administrative Assistant

No representative from the Attorney General's office was present.

Chairman Harry called the meeting to order at 10:04 AM.

**Call to Order**

A motion was made by Mr. Lewis and seconded by Ms. Fuller to approve the agenda. The motion passed unanimously. Members voting "Yes" were Burgin, Lewis, Harry, Mullins, Pruitt, Fuller, and Turner.

**Approval of Agenda**

A motion was made by Mr. Lewis and seconded by Mr. Mullins to approve the following minutes: July 16, 2007 Informal Fact-Finding Conferences, May 1, 2007 Board Meeting. The motion passed

**Approval of Minutes**

unanimously. Members voting "Yes" were Burgin, Lewis, Harry, Mullins, Pruitt, Fuller, and Turner.

Max Strickland addressed the Board during the Public Comment Period. Mr. Strickland raised concerns about continuing education for online courses. No action was taken by the Board.

**Public Comment**

Mr. Saunders also addressed the Board. He raised issues concerning the AQB requirements with respect to the time limits imposed on students by the segmented approach approved by the Board. No action was taken by the Board.

In the matter of File Number 2006-02137, Michael Scott Moore, the Board reviewed the Consent Order as seen and agreed to by Mr. Moore. Mr. Moore was present and addressed the Board. A motion was made by Mr. Turner and seconded by Mr. Pruitt to reject the proposed Consent Order offer and extended a counter offer to Mr. Moore wherein Mr. Moore admits to a violation of 18 VAC 130-20-180.E (Count 1) of the Board's 2003 Regulations and agrees to a monetary penalty of \$1,000.00 for the violation contained in Count 1 as well as \$150.00 in Board costs for a total of \$1,150.00. In addition, for violation of Count 1, Mr. Moore agrees to complete a 30 hour upper level residential appraiser class offered by an Appraisal Foundation Sponsor and provide proof of attendance and successful completion within six (6) months of the effective date of this order. It is acknowledged that satisfactory completion of the above referenced course will not count towards any continuing education requirements for renewal of license. In addition, for violation of Count 1, Moore agrees to a thirty (30) day suspension of his license. The motion passed unanimously. Members voting "Yes" were Burgin, Lewis, Harry, Mullins, Pruitt, Fuller, and Turner.

**File Number 2006-02137,  
Michael Scott Moore**

As the reviewing Board member, Ms. Quigley did not participate in the discussion or vote related to this matter.

In the matter of File Number 2006-04183, James Manley Mattson, the Board reviewed the Consent Order as seen and agreed to by Mr. Mattson. A motion was made by Mr. Lewis and seconded by Ms. Fuller to accept the Consent Order wherein Mr. Mattson admits to a violation of 18 VAC 130-20-170.3 (Count 1) of the Board's 2003 Regulations and agrees to a monetary penalty

**File Number 2006-04183,  
James Manley Mattson**

of \$1,000.00 for the violation contained in Count 1 as well as \$150.00 in Board costs for a total of \$1,150.00. In addition, for violation of Count 1, Mr. Mattson agrees to complete a 15 hour USPAP course and provide proof of attendance and successful completion within six (6) months of the effective date of this order. It is acknowledged that satisfactory completion of the above referenced USPAP course will not count towards any continuing education requirements for renewal of license. The motion passed unanimously. Members voting "Yes" were Burgin, Lewis, Harry, Mullins, Pruitt, and Fuller.

As the reviewing Board member, Ms. Quigley did not participate in the discussion or vote related to this matter.

Mr. Turner abstained from voting in this matter.

Ms. Diane Quigley arrived at the meeting at 10:20 a.m.

In the matter of File Number 2007-01697, Wendy Faith Coates, the Board reviewed the Consent Order as seen and agreed to by Ms. Coates. A motion was made by Mr. Turner and seconded by Mr. Pruitt to reject the Consent Order and remand the case back to staff for an Informal Fact Finding Conference. The motion passed unanimously. Members voting "Yes" were Turner, Quigley, Burgin, Lewis, Harry, Mullins, Pruitt, and Fuller.

In the matter of File Number 2007-03649, Janice D. Puleo, the Board reviewed the record, which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Pruitt and seconded by Ms. Fuller to accept the recommendation and approve Ms. Puleo's application for a Certified General Appraiser license. The motion passed unanimously. Members voting "Yes" were Burgin, Lewis, Harry, Quigley, Mullins, Pruitt, and Fuller.

As the reviewing Board member, Mr. Turner did not participate in the discussion or vote related to this matter.

In the matter of File Number 2007-04962, Carol D. Jones, the Board reviewed the record, which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-

**Board Member Arrival**

**File Number 2007-01697,**  
**Wendy Faith Coates**

**File Number 2007-03649,**  
**Janice D. Puleo**

**File Number 2007-04962,**  
**Carol D. Jones**

Finding Conference of the Board member. Ms. Jones, the applicant, was present and addressed the Board. A motion was made by Mr. Pruitt and seconded by Ms. Fuller to accept the recommendation and approve Ms. Jones' application for a Licensed Residential Appraiser license. The motion passed unanimously. Members voting "Yes" were Burgin, Lewis, Harry, Quigley, Mullins, Pruitt, and Fuller.

As the reviewing Board member, Mr. Turner *did not participate* in the discussion or vote related to this matter.

Mr. Harry left at 11:30 a.m. and Mr. Lewis assumed chair of the meeting.

Ms. Martine shared information with the Board about the **ASC Field Review** and the issues raised by the ASC.

1. Board regulations and practices regarding appraiser reinstatement from inactive status do not conform to AQB criteria;
2. Submission of inaccurate disciplinary action data to the ASC for inclusion in the National Registry; and
3. Ensure implementation of regulatory amendments to conform to December 2003 AQB Interpretation.

Ms. Martine will write a letter to the ASC addressing those issues as requested by the Board.

The Board reviewed the proposed regulations which staff will submit as an *Exempt action* as *these changes are mandated* by the Appraisal Qualification Board.

### **Approve Regulations**

Motion was made by Mr. Pruitt and seconded by Ms. Quigley to approve the regulation as presented. The motion passed unanimously. Members voting "Yes" were Burgin, Lewis, Turner, Quigley, Mullins, Pruitt, and Fuller.

Ms. Martine updated the Board on the status of the proposed regulations going through the general review process.

Mr. Turner offered a motion seconded by Mr. Pruitt to extend the timeframe for completion of the required segments by the applications to December 31, 2009. The motion passed unanimously. Members voting "Yes" were Burgin, Lewis, Turner, Quigley, Mullins, Pruitt and Fuller.

Sharon Sweet addressed the Board concerning exam issues and distributed a handout for review. The AQB will be releasing the new exam on January 1, 2008. There was a question and answer period with participation by the Board.

Exam Issues

Karen O'Neal addressed the Board and wanted the Board members to voice their opinions on the new Board meeting set up.

Other Business

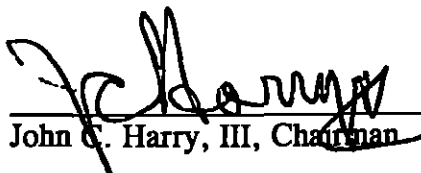
Mr. Turner shared his concerns with the Board about 54.1-2010. After discussion, it was decided that the Board would have Ms. Martine ask the Real Estate Board to include an article in the Real Estate Board newsletter to remind the licensees that they should be aware of 54.1-2010.


New Business

Ms. Martine introduced her new staff members, Kevin Hoeft and Emily Trent. Ms. Adams introduced her new staff member, Andrea Parker.

There being no further business, the meeting adjourned at 12:00 P.M.

Adjourn

  
John C. Harry, III, Chairman

  
Jay W. DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: John C. Harry, III
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_
- 

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction:

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(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: August 21, 2007

Signature: 

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Harry O. Lewis, Jr.
2. Title: Member – Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_
- 

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction:

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(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: August 21, 2007

Signature: \_\_\_\_\_

*Harry O. Lewis, Jr.*

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Gina M. Burgin
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: None

6. I declare that:

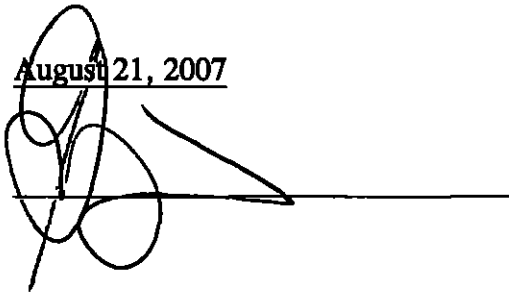
(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated:

August 21, 2007

Signature:





**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Richard Pruitt
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

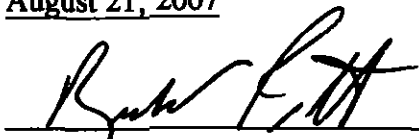
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(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction:

\_\_\_\_\_  
 (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: August 21, 2007

Signature. \_\_\_\_\_



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Perry Turner, Jr.
2. Title: Member – Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

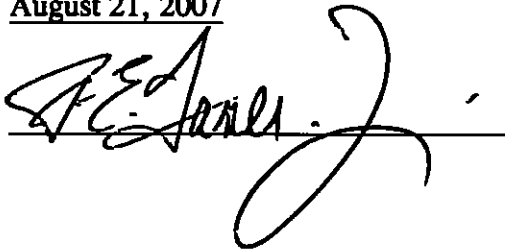
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(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: August 21, 2007

Signature: \_\_\_\_\_



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Diane Quigley
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_

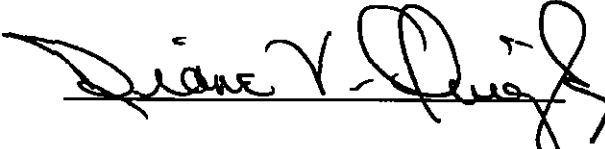
6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction:

\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: August 21, 2007

Signature: 

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Douglas Mullins, Jr.
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_
- 

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction:

\_\_\_\_\_

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: August 21, 2007

Signature: \_\_\_\_\_



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Janet W. Fuller
2. Title: Member - Real Estate Appraiser Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated August 21, 2007

Signature: \_\_\_\_\_

